

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
1534.004

Total Pages in this Submission  
138

### TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Estrogen Receptor Modulators

and invented by:

Verena D. Huebner, Xiadong Lin, Ian James, Liya Chen, Manoj Desai, Beata Krywult, Rajinder Singh, and Liang Wang

**a CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 60/095,772

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 132 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☐ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☐ Informal Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL 353 113 016 US

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Additional Enclosures (please identify below):

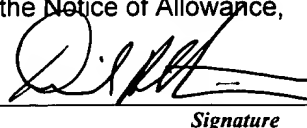
Blanket Petition for Extension of Time and Authorization to Charge/Credit Deposit Account

## Fee Calculation and Transmittal

### CLAIMS AS FILED

| For  | #Filed | #Allowed | #Extra | Rate      | Fee        |
|--|--------|----------|--------|-----------|------------|
| Total Claims   | 69     | - 20 =   | 49     | x \$18.00 | \$882.00   |
| Indep. Claims  | 2      | - 3 =    | 0      | x \$78.00 | \$0.00     |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |        |          |        |           | \$0.00     |
| BASIC FEE  |        |          |        |           | \$760.00   |
| OTHER FEE (specify purpose)  |        |          |        |           | \$0.00     |
| TOTAL FILING FEE   |        |          |        |           | \$1,642.00 |

- ☒ A check in the amount of \$1,642.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
  - ☒ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

David P. Lentini  
Reg. No. 33,944

Dated:

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

VERENA D. HUEBNER et al.

Serial No.: Continuation-in-Part of  
USSN 60/095,772

Group Art: Unassigned

Filed: Even Date Herewith

Examiner: Unassigned

For: ESTROGEN RECEPTOR MODULATORS

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

The Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Express Mail Label No.: **EL 353 113 016 US**

Date of Deposit: **August 6, 1999**

I hereby certify that the attached Application for United States Patent entitled Estrogen Receptor Modulators, Utility Application Transmittal (Large Entity) form, Combined Declaration and Power of Attorney for Patent Application, Blanket Petition for Extension of Time and Authorization to Charge/Credit Deposit Account and Postal Receipt Card are being deposited with the United Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and addressed to BOX NEW APPLICATION, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

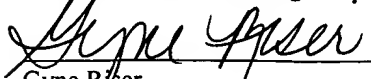
Dated: 08.06.99

By: Gyne Riser

Gyne Riser

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
(510) 923-3003

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" on August 6, 1999 and is addressed to: BOX NEW APPLICATION, Assistant Commissioner of Patent and Trademarks, Washington, D.C. 20231.

  
Gyne Riser

08.06.99  
Date



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

VERENA D. HUEBNER et al.

Serial No.: Continuation-in-Part of  
USSN 60/095,772

Group Art: Unassigned

Filed: Even Date Herewith

Examiner: Unassigned

For: ESTROGEN RECEPTOR MODULATORS

**BLANKET PETITION FOR EXTENSION OF TIME  
AND AUTHORIZATION TO CHARGE/CREDIT DEPOSIT ACCOUNT**


Assistant Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

If a paper is untimely filed in the subject application by applicant or his representative and such paper is not accompanied by an effective petition for extension of time, the Commissioner is hereby petitioned under 37 C.F.R. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. §1.17(a)-(d) to Deposit Account No. 03-1664.

Respectfully submitted,

Dated: 8/6/99

By:   
David P. Lentini  
Reg. No. 33,944

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